



18351 U.S. PTO

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**CONTINUATION APPLICATION UNDER 37 CFR 1.53(b)**

Commissioner for Patents  
Mail Stop Application Number  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a request for filing a continuation/divisional application under 37 CFR 1.53(b), of pending prior application:

Serial No.: 09/826,025  
Filed on: April 4, 2001  
Entitled: COMBINATION IMMUNOGENE THERAPY  
Inventors: Lung-Ji Chang

1.  Enclosed is a copy of the latest inventor-signed specification of the prior application, including the oath or declaration as originally filed. I hereby verify that the papers are a true copy of the latest signed specification of the prior application number 09/826,025, filed April 4, 2001, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.
2.  The preliminary amendment is enclosed.

## PATENT

Applicants: Lung-Ji Chang  
Serial No.: 09/826,025  
Filed: 04/04/2001  
Title: COMBINATION  
IMMUNOGENE  
THERAPY  
Examiner: Anne Mari Falk  
Sup Art Unit: 1632  
Docket No.: 14354-40

22553 U.S.PTO 10/785577

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The filing fee is calculated below on the basis of the claims existing in the prior application:

	Small Entity	Large Entity	Total
Basic Fee	\$385.00	\$770.00	\$385.00
Total Claims exceeding 20: 0	\$9.00	\$18.00	
Indep. Claims exceeding 3: 0	\$43.00	\$86.00	
Multiple Dep. Claims 0+	<u>\$145.00</u>	<u>\$290.00</u>	
Total			\$385.00

3. The Power of Attorney in the prior application is to:

whose address is:

**STRADLING YOCCA CARLSON & RAUTH**  
660 Newport Center Drive, Suite 1600  
Newport Beach, CA 92660  
**Attn: Louis C. Cullman**  
Telephone: 949.725.4000  
Facsimile: 949.725.4100

4. Address all future correspondence to:

STRADLING YOCCA CARLSON & RAUTH  
660 Newport Center Drive, Suite 1600  
Newport Beach, CA 92660  
ATTN: Louis C. Cullman

Respectfully submitted,

February 23, 2004

Louis C. Cullman  
Registration No. 39,645  
Attorney for Applicants

STRADLING YOCCA CARLSON & RAUTH  
660 Newport Center Drive, Suite 1600  
Newport Beach, CA 92660  
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# FEE TRANSMITTAL

## for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 385.00)

## Complete if Known

Application Number	09/826,025
Filing Date	04/04/2001
First Named Inventor	Lung-Ji Chang
Examiner Name	Anne Marie Falk
Art Unit	1632
Attorney Docket No.	14354-40

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number  
50-1329

Deposit Account Name  
Stradling, Yocca, Carlson & Rauth

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	385.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$ 385.00)</b>

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
8	-20** = 0		x 9	= 0	
1	- 3** = 0		x 43	= 0	
				0	= 0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		<b>(\$ 0)</b>

\*\*or number previously paid, if greater. For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			
<b>SUBTOTAL (3)</b>		<b>(\$ 0)</b>	

SUBMITTED BY (Complete if applicable)

Name (Print/Type)	Louis C. Culman	Registration No. (Attorney/Agent)	39,645	Telephone	949-725-4154
Signature	February 23, 2004				

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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